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**OFFICE OF PETITIONS**

|                                   |   |             |
|-----------------------------------|---|-------------|
| In re Application of              | : |             |
| Mohamed I. Jabri                  | : |             |
| Application No. 09/873830         | : |             |
| Filing or 371(c) Date: 06/04/2001 | : | ON PETITION |
| Title of Invention: METHOD AND    | : |             |
| SYSTEM FOR DEVELOPING AND         | : |             |
| EXECUTING SOFTWARE                | : |             |
| APPLICATIONS AT AN ABSTRACT       | : |             |
| DESIGN LEVEL                      | : |             |

This is a decision on the third petition to revive the application under 37 CFR 1.137(b), filed November 6, 2006, to revive the above-identified application. The delay in treating this petition is regretted.

This Petition is hereby **granted**.

**Background**

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed December 14, 2004. The Office action set a three (3) month period for reply from the mail date of the Office action. Extensions of time were available under 37 CFR 1.136(a). No reply having been received, the application became abandoned on March 15, 2005. A Notice of Abandonment was mailed August 25, 2005.

Applicant filed a petition to revive the application on October 2, 2005, that was dismissed in a Decision mailed November 2, 2005, because the petition had not been executed by a proper party in interest.

Applicant filed a second petition on December 30, 2005; January 3, 2006; January 26, 2006 and February 1, 2006, which was dismissed in a Decision mailed March 22, 2006, because a reply to the December 14, 2004 Office action had not been filed.

Applicant filed a third petition to revive the application under 37 CFR 1.137(b) on November 6, 2006, this time the petition was executed by a registered practitioner; however, again no reply to the Office action was filed. The petition was again dismissed without prejudice.


The present petition

Applicant files the present petition and includes an Amendment in response to the Office action. The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an Amendment is filed with the present petition; (2) the petition fee (previously submitted); and (3) the required statement of unintentional delay (previously submitted<sup>1</sup>). Accordingly, the reply is accepted as having been unintentionally delayed.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

This application is being referred to Technology Center Art Unit 2191 for processing of the Amendment filed with the petition in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.

  
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Office of Petitions

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<sup>1</sup> 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the renewed petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is **not** a correct reading of the statement appearing in the petition.